

REMARKS

The Examiner has allowed claims 1, 2, 13, 15 and 16, and rejected claims 17-34. Applicant acknowledges and appreciates the Examiner's allowance of claims 1, 2, 13, 15 and 16. By the present amendment, claim 34 has been cancelled, claims 13, 15, 17, 18, 19 and 29 have been amended, and new claims 35-36 have been added. After the present amendment, claims 1, 2, 13, 15, 16, 17-33 and 35-36 are pending in the present application. For the reasons stated below, applicant respectfully requests reconsideration and allowance of claims 17-33 and 35-36.

A. Rejection of Claim 17-34 Under 35 USC §102(e)

The Examiner has rejected claims 17-34, under 35 USC §102(e), as being anticipated by (USPN 6,728,669) ("Benno").

By the present amendment, applicant has amended method claim 17 to include limitations similar to those of system claim 13. Accordingly, applicant respectfully submits that claim 17, as amended, and its dependent claim 18, should be allowed at least for the same reasons claim 13 is in condition for allowance.

Further, by the present amendment, applicant has amended method claim 19 to include limitations similar to those of system claim 13. Accordingly, applicant respectfully submits that claim 19, as amended, and its dependent claims 20-23, should be allowed at least for the same reasons claim 13 is in condition for allowance.

With respect to the rejection of claims 24-28, it is noted that claims 24-28 have not been rejected in the Detailed Action, and it seems that the Office Action Summary erroneously states that claims 24-28 have been rejected. Applicant respectfully submits that claim 24 recites:

“wherein the algorithm is configured to determine a first pulse position from the plurality of candidate pulse positions on a first track of the plurality of tracks if the speech signal is approximately periodic or to determine a second pulse position from the plurality of candidate pulse positions on a second track of the plurality of tracks if the speech signal is approximately non-periodic.” Accordingly, claim 24 and its dependent claims 25-28 should also be in condition for allowance for at least the same reasons claim 13 is in condition for allowance.

Also, by the present amendment, claim 29 has been amended to recite: “wherein the algorithm is configured to determine a first pulse position from the plurality of candidate pulse positions on a first track of the plurality of tracks if the speech signal is approximately periodic or to determine a second pulse position from the plurality of candidate pulse positions on a second track of the plurality of tracks if the speech signal is approximately non-periodic.” Accordingly, it is respectfully submitted that claim 29, as amended, and its dependent claims 30-33 should be allowed at least for the same reasons claim 13 is in condition for allowance.

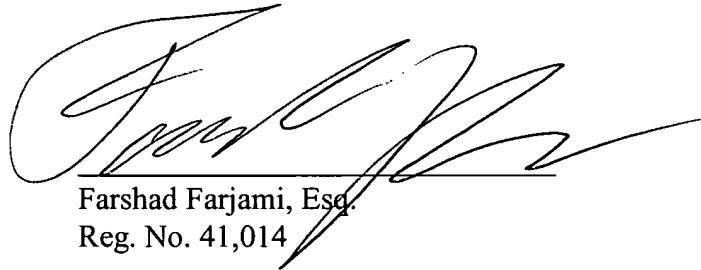
B. New Claims 35-36

By the present amendment, applicant has added new dependent claims 35 and 36 depending from claims 17 and 19, respectively. Applicant respectfully submits that claims 35 and 36 should be allowed at least for the same reasons stated above in conjunction with patentability of claims 17 and 19, respectively.

C. Conclusion

For all the foregoing reasons, an early allowance of claims 1, 2, 13, 15, 16, 17-33 and 35-36 pending in the present application are respectfully requested.

Respectfully Submitted;
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